

Please type a plus sign (+) inside this box [+]

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 58724-295125
(maximum 12 characters)

First Named Inventor Anthony P. Arnold

Title : Personal Heat Control Device and Method

Express Mail Label No. EU825078816US

19587 U.S. PTO
10/622853
07/17/03



ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. **Fee Transmittal Form** (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. **Applicant Claims Small Entity Status.** (37 CFR 1.27)
3. **Specification** (Total Pages 20)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. **Drawings(s)** (35 USC 113) (Total Sheets 7)
5. **Oath or Declaration** (Total Pages 6)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. **Application Data Sheet.** (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & documents(s))
10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
 b. Power of Attorney
11. English Translation Document (if applicable)
12. a. Information Disclosure Statement (IDS)/PTO-1449
 b. Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: _____

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: _____ **Examiner** _____ **Group Art Unit** _____
(which is a continuation/ divisional/ CIP of prior application no. _____,
which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address

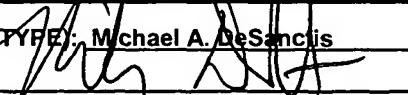
Customer Number or Bar Code Label _____ (Insert Customer No. or Attach Bar Code Label here)
or
 Correspondence Address Below

NAME Michael A. DeSanctis
FAEGRE & BENSON

ADDRESS 3200 Wells Fargo Center
1700 Lincoln Street

CITY Denver STATE Colorado ZIP CODE 80203

Country U.S.A. TELEPHONE (303) 607-3500 FAX (303) 670-3600

Name (PRINT/TYPE): Michael A. DeSanctis Registration No.: 39,957
Signature:  Date: July 17, 2003

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FEE TRANSMITTAL FOR FY 2003**TOTAL AMOUNT OF PAYMENT (\$)** **\$ 424.00**

Complete if Known:

Application No. Not Yet Assigned
 Filing Date Concurrently Herewith
 First Named Inventor Anthony P. Arnold
 Group Art Unit Not Yet Assigned
 Examiner Name Not Yet Assigned
 Attorney Docket No. 58724-295125

METHOD OF PAYMENT (check one)

- The Commissioner is hereby authorized to credit any over payments to:

Deposit Account Number 06-0029
 Deposit Account Name _____

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- Applicant claims small entity status. See 37 CFR 1.27

2. XX Payment Enclosed: Check
 Money Order
XX Other (Credit Card Form)

FEE CALCULATION**1. BASIC FILING FEE**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>	
Fee Code	Fee Code	(<u>\$</u>)		
1001	2001	750 375	Utility application filing fee	<u>375.00</u>
1002	2002	330 165	Design application filing fee	_____
1003	2003	520 260	Plant filing fee	_____
1004	2004	750 375	Reissue filing fee	_____
1005	2005	160 80	Provisional application filing fee	_____

SUBTOTAL (1) \$ 375.00**2. EXTRA CLAIM FEES**

<u>Extra Claims</u>			<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>21</u>	<u>- 20** = 1</u>	X <u>9.00</u>	<u>= 9.00</u>
Independent Claims	<u>3</u>	<u>- 3** = 0</u>	X <u> </u>	<u> </u>
Multiple Dependent				

**Or number previously paid, if greater; For Reissues, see below.

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>	
Fee Code	Fee Code	(<u>\$</u>)		
1202	2202	18 9	Claims in excess of 20	
1201	2201	84 42	Independent claims in excess of 3	
1203	2203	280 140	Multiple dependent claim, if not paid	
1204	2204	84 42	**Reissue independent claims over original patent	
1205	2205	18 9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) \$.90

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Larg Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fe Paid</u>
<u>F Fee</u>	<u>Fee</u>		
<u>Cod (\$)</u>	<u>Code (\$)</u>		
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex part reexamination	
1813	8,800	1813 8,800 Request for inter partes reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	410	2252 205 Extension for reply within second month	
1253	930	2253 465 Extension for reply within third month	
1254	1,450	2254 725 Extension for reply within fourth month	
1255	1,970	2255 985 Extension for reply within fifth month	
1401	320	2401 160 Notice of Appeal	
1402	320	2402 160 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive – unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	
1501	1,300	2501 650 Utility issue fee (or reissue)	
1502	470	2502 235 Design issue fee	
1503	630	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	<u>40.00</u>
1809	750	2809 375 For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814 55 Statutory Disclaimer	
1810	750	2810 375 For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	750	2801 375 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
1504	300	1504 300 Publication fee for early, voluntary, or normal pub.	
1505	300	1505 300 Publication fee for republication	
1803	130	1803 130 Request for voluntary publication or republication	
1808	130	1808 130 Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,300	1454 1,300 Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

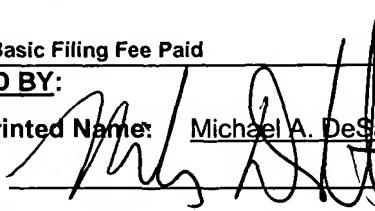
Other fee (specify) _____

SUBTOTAL (3) \$ 40.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Michael A. DeSanctis

Signature:  Date: July 17, 2003

Reg. Number: 39,957 Telephone Number: 303-607-3500

Receipt acknowledged by USPTO on the date stamped below:

In Re: Patent Application of: Anthony P. Arnold

Serial No.: Not Yet Assigned

Date filed: Herewith

Title: Personal Heat Control Device AND METHOD

Utility Patent Application Transmittal 2 page(s) ■ Fee Transmittal 2 page(s)

Specification 20 page(s); Abstract 1 pages(s)

Claims 21 page(s) Number of Claims: 3

Drawings (7 sheets) Number of FIGS: 8

■ Declaration and POA 6 page(s) □ Application Data Sheet _____ page(s)

■ Non-Publication Request Under 35 USC 122(b)(2)(B)(i) 1 page(s)

□ Recordation Form Cover Sheet _____ page(s) ■ Assignment 3 page(s)

■ IDS 1 page(s) ■ 9 cited US ref.; □ cited foreign ref.; □ cited other ref.

Payment: □ Check No. _____ / □ Deposit Account / ■ Credit Card : amount of \$ 424.00

■ Credit Card Payment Form (PTO-2038) – 1 page

Other: _____

Atty: mao/mao/dlp Express Mail Label No. EU825078816US

Atty Docket No. 58724-295125 Date Mailed: July 17, 2003

EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EU825078816US

Date of Deposit: July 17, 2003

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, V.A. 22313-1450

Debbie Peloquin

(Typed or printed name of person mailing paper or fee)

Debbie Peloquin

(Signature of person mailing paper or fee)

July 17, 2003

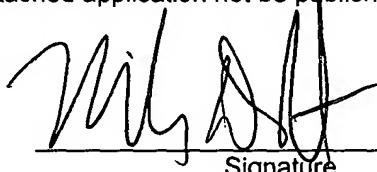
(Date signed)

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)First Named Inventor: Anthony P. ArnoldTitle: Personal Heat Control Device and MethodAttorney Docket No. 58724-295125

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 17, 2003

Date



Signature

Michael A. DeSanctis

Typed or Printed Name

39,957

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313